



10-13-04

IFW

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/716,288	11/18/2003	Sathish Kumar	15141US02

23446
 MCANDREWS HELD & MALLOY, LTD
 500 WEST MADISON STREET
 SUITE 3400
 CHICAGO, IL 60661

CONFIRMATION NO. 6074

FORMALITIES LETTER



OC000000013944730

Date Mailed: 09/30/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 1, 2.
 - The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1)); See Figure(s) 1.

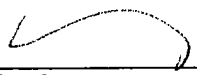
SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

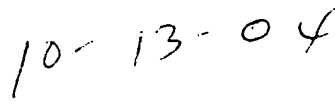
- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.



Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE



In the Application of:

EXPRESS MAIL LABEL NO. EV 219883382 US

DATE: OCTOBER 12, 2004

Group Art Unit: 2614

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

In response to the Notice to File Missing Parts of Nonprovisional Application dated September 30, 2004, with a response due on or before November 30, 2004, Applicants enclose the following documents: 1) return copy of the Notice to File Missing parts of Nonprovisional Application; 2) the originally signed Declaration for Patent Application; 3) Return Receipt Postcard; and 4) two sheets of Replacement Drawings, Figures 1 and 2.



REMARKS

The Notice to File Missing Parts of Nonprovisional Application indicated that the Oath or Declaration is missing and that a properly signed Oath or Declaration is required.

Applicants have attached a copy of the Declaration and replacement drawings, but respectfully submit that the Declaration in compliance with 37 CFR 1.136(a) was filed with the application on November 18, 2003. Applicants have also attached a copy of the acknowledgement postcard that was filed with the application and was stamped by the Patent Office. The Acknowledgement postcard indicates that the executed Declaration was included with the application. Accordingly, Applicants respectfully submit that the \$130.00 filing fee is not due.

The Patent Office further states that Replacement Drawings in compliance with 37 C.F.R. 1.84 and 37 C.FR 1.21 are required. The Notice indicated that FIGS.1 and 2 were not acceptable because the drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. Further, the Notice states that FIGURE 1 has a line quality that is too light to be reproduced or text that is illegible, and view numbers must be plain and legible. Applicants hereby present replacement drawings, Figures 1 and 2 as requested, and submit that the replacement drawings are in compliance with 37 CFR 1.84 and 37 CFR 1.121.

The Commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 13-0017 in the name of McAndrews, Held & Malloy, Ltd.

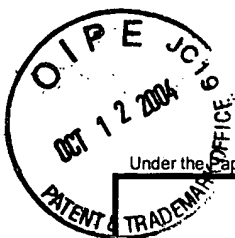
Respectfully submitted,

Mirut P. Dalal, Esq.
Registration No. 44,052
Attorney for Applicant

Dated: October 12, 2004

McANDREWS, HELD & MALLOY, LTD
500 West Madison Street, 34th Floor
Chicago, Illinois 60661

Telephone (312) 775-8000
Facsimile (312) 775-8100



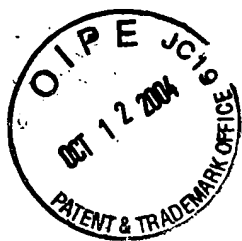
PTO/SB/21 (08-00)

Approved for use through 10/31/2002

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM		Application Number																																								
(to be used for all correspondence after initial filing)		10/716,288																																								
		Filing Date																																								
		November 18, 2003																																								
		First Named Inventor																																								
		Sathish Kumar, <i>et al.</i>																																								
Group Art Unit		2614																																								
Examiner Name		Not Yet Known																																								
Attorney Docket Number		15141US02																																								
Total Number of Pages in This Submission		11																																								
ENCLOSURES (check all that apply)																																										
<table border="0"><tr><td><input type="checkbox"/> Fee Transmittal Form</td><td><input type="checkbox"/> Assignment Papers (for an Application)</td><td><input type="checkbox"/> After Allowance Communication to Group</td></tr><tr><td><input checked="" type="checkbox"/> Fee Attached (\$130.00)</td><td><input type="checkbox"/> Drawing(s) (sheets)</td><td><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences</td></tr><tr><td><input type="checkbox"/> Amendment/Reply</td><td><input type="checkbox"/> Licensing-related Papers</td><td><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)</td></tr><tr><td><input type="checkbox"/> After Final</td><td><input type="checkbox"/> Petition</td><td><input type="checkbox"/> Proprietary Information</td></tr><tr><td><input type="checkbox"/> Affidavits/declaration(s)</td><td><input checked="" type="checkbox"/> Response to Notice to File Missing Parts of Nonprovisional Application, attaching</td><td><input type="checkbox"/> Status Letter</td></tr><tr><td><input type="checkbox"/> Extension of Time Request</td><td>a) return copy of the Notice to File Missing parts;</td><td><input checked="" type="checkbox"/> Reply postcard</td></tr><tr><td><input type="checkbox"/> Express Abandonment Request</td><td>b) the properly signed Declaration for Patent Application;</td><td><input type="checkbox"/> Other Enclosure(s) (please identify below):</td></tr><tr><td><input type="checkbox"/> Information Disclosure Statement</td><td>c) a Return Receipt Postcard; and</td><td></td></tr><tr><td><input type="checkbox"/> PTO 1449/08A with references</td><td>d) two sheets of Replacement Drawings, Figures 1 and 2.</td><td></td></tr><tr><td><input type="checkbox"/> Certified Copy of Priority Document(s)</td><td></td><td></td></tr><tr><td><input type="checkbox"/> Terminal Disclaimer</td><td></td><td></td></tr><tr><td><input type="checkbox"/> Request for Refund</td><td></td><td></td></tr><tr><td><input type="checkbox"/> CD Number of CD(s) _____</td><td></td><td></td></tr></table>				<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group	<input checked="" type="checkbox"/> Fee Attached (\$130.00)	<input type="checkbox"/> Drawing(s) (sheets)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information	<input type="checkbox"/> Affidavits/declaration(s)	<input checked="" type="checkbox"/> Response to Notice to File Missing Parts of Nonprovisional Application, attaching	<input type="checkbox"/> Status Letter	<input type="checkbox"/> Extension of Time Request	a) return copy of the Notice to File Missing parts;	<input checked="" type="checkbox"/> Reply postcard	<input type="checkbox"/> Express Abandonment Request	b) the properly signed Declaration for Patent Application;	<input type="checkbox"/> Other Enclosure(s) (please identify below):	<input type="checkbox"/> Information Disclosure Statement	c) a Return Receipt Postcard; and		<input type="checkbox"/> PTO 1449/08A with references	d) two sheets of Replacement Drawings, Figures 1 and 2.		<input type="checkbox"/> Certified Copy of Priority Document(s)			<input type="checkbox"/> Terminal Disclaimer			<input type="checkbox"/> Request for Refund			<input type="checkbox"/> CD Number of CD(s) _____		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group																																								
<input checked="" type="checkbox"/> Fee Attached (\$130.00)	<input type="checkbox"/> Drawing(s) (sheets)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences																																								
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)																																								
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information																																								
<input type="checkbox"/> Affidavits/declaration(s)	<input checked="" type="checkbox"/> Response to Notice to File Missing Parts of Nonprovisional Application, attaching	<input type="checkbox"/> Status Letter																																								
<input type="checkbox"/> Extension of Time Request	a) return copy of the Notice to File Missing parts;	<input checked="" type="checkbox"/> Reply postcard																																								
<input type="checkbox"/> Express Abandonment Request	b) the properly signed Declaration for Patent Application;	<input type="checkbox"/> Other Enclosure(s) (please identify below):																																								
<input type="checkbox"/> Information Disclosure Statement	c) a Return Receipt Postcard; and																																									
<input type="checkbox"/> PTO 1449/08A with references	d) two sheets of Replacement Drawings, Figures 1 and 2.																																									
<input type="checkbox"/> Certified Copy of Priority Document(s)																																										
<input type="checkbox"/> Terminal Disclaimer																																										
<input type="checkbox"/> Request for Refund																																										
<input type="checkbox"/> CD Number of CD(s) _____																																										
Remarks																																										
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT																																										
Firm or Individual Name	Mirut P. Dalal, Esq. McAndrews Held & Malloy, Ltd. 500 West Madison Street - 34 th Floor Chicago, Illinois 60661																																									
		CUSTOMER No. 23,446																																								
Name (Print/type)	Mirut P. Dalal, Esq.	Registration No. (Attorney/Agent)	44,052																																							
Signature			Date: October 12, 2004																																							
EXPRESS MAIL DEPOSIT																																										
"Express Mail" mailing label number : EV 219883382 US																																										
Date of Deposit October 12, 2004																																										



ASSISTANT COMMISSIONER FOR PATENTS

Sir: Please place the USPTO receipt stamp hereon and place in outgoing mail to acknowledge receipt of:

Docket No: 15141US02

Applicant: Sathish Kumar, et al.

Serial No.: Not yet Known

Filed: November 18, 2003

☒ Transmittal _____

☒ Fee \$ 856.00

☒ Patent Application including:

_____ Page(s) Cover Sheet

15 Page(s) Specification

4 Page(s) Claims # 14

1 Page(s) Abstract

4 Page(s) Drawings Formal ☒ Informal

_____ Response to Notice of Missing Parts _____

☒ Declaration & POA ☒ Signed _____ Unsigned _____

_____ Amendment _____ Page(s)

_____ Assignment _____ Page(s) Cover Sheet _____ Page(s)

_____ IDS with PTO-1449 _____ Page(s)

_____ Cited References 22154 U.S. PTO

_____ Other 10/716288

_____  _____

_____ 111803 _____

_____ Certificate of Mailing as dated below

☒ Certificate of Express Mailing as dated below

Express Mail Label No. EV 164034115 US

Dated: November 18 , 2003

Respectfully: **McANDREWS, HELD & MALLOY, LTD.**

Attorneys for Applicant

MPD/alal